

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Marie-Ann Greenberg MAG-1284  
Chapter 13 Standing Trustee  
30 TWO BRIDGES ROAD  
SUITE 330  
FAIRFIELD, NJ 07004-1550  
973-227-2840**

IN RE:  
ENRICO BENCIVENGA



Order Filed on March 2, 2018  
by Clerk, U.S. Bankruptcy  
Court - District of New Jersey

**Case No.: 17-14487 SLM**

**Hearing Date: 2/28/2018**

**Judge: STACEY L. MEISEL**

**Debtor is Not Entitled To Discharge**

**ORDER CONFIRMING PLAN**

The relief set forth on the following pages, numbered 2 through 2 is hereby **ORDERED**.

**DATED: March 2, 2018**

  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

Case No.: 17-14487 SLM

Caption of Order: ORDER CONFIRMING PLAN

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The Plan of the Debtor having been proposed to creditors, and hearing having been held on the Confirmation of such Plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

- ORDERED, that the plan of the above named Debtor dated 3/7/2017, or as amended at the confirmation hearing is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the Debtor; and it is further
- ORDERED, that to the extent that the Debtor's plan contains motions to avoid judicial liens under 11 U.S.C. Section 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified herein:
- ORDERED, that commencing 4/1/2017, the Debtor shall pay the Standing Trustee
  - the sum of \$10,200.00 paid into date over 11 month(s), and then
  - the sum of \$1,064.00 for a period of 49 month(s), which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586; and it is further
- ORDERED, that notwithstanding the preceding paragraph, in no event shall the unsecured creditors receive less than 100% of their timely filed claims; and it is further
- ORDERED, that Debtor must complete Loan Modification on 1st mortgage on 17 Railroad Ave, Andover by 3/31/18 or as extended through the Court's Loss Mitigation Program. If loan modification is not completed, the case will be dismissed upon certification of the Standing Trustee with 14 days notice to debtor (s) and debtor's attorney; and it is further
- ORDERED, that the mortgage arrears on 17 Railroad Ave. property are to be paid outside the plan through loan modification; and it is further
- ORDERED, that the Debtor's attorney is allowed a fee of \$3,500.00. The unpaid balance of the allowed fee in the amount of \$2,000.00 shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee; and it is further
- ORDERED, that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any discharged; and it is further
- ORDERED, that upon expiration of the Deadline to File a Proof of Claim, the Chapter 13 Standing Trustee may submit an Amended Order Confirming Plan upon notice to the Debtor, Debtor's attorney and any other party filing a Notice of Appearance.

**Certificate of Notice Page 3 of 3**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Enrico Bencivenga  
 Debtor

Case No. 17-14487-SLM  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Mar 05, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 07, 2018.

db +Enrico Bencivenga, 124 Overlook Road, Newton, NJ 07860-9772

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 07, 2018

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 5, 2018 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
 Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc. bkecf@milsteadlaw.com, alubin@milsteadlaw.com  
 Charles G. Wohlrab on behalf of Creditor CONV: U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE OF OWS REMIC TRUST 2015-1 cwohrlab@logs.com, njbankruptcynotifications@logs.com  
 Charles G. Wohlrab on behalf of Creditor Nationstar Mortgage LLC cwohrlab@logs.com, njbankruptcynotifications@logs.com  
 Denise E. Carlon on behalf of Creditor US Bank National Association, not in its individual capacity but solely as Trustee on behalf of OWS REMIC Trust 2015-1 dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com  
 Laura M. Egerman on behalf of Creditor Nationstar Mortgage LLC bkyecf@rasflaw.com, bkyecf@rasflaw.com; legerman@rasnj.com  
 Marie-Ann Greenberg magecf@magtrustee.com  
 Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
 Stephen B. McNally on behalf of Debtor Enrico Bencivenga steve@mcnallylawllc.com, jennifer@mcnallylawllc.com; b.sr70072@notify.bestcase.com  
 Steven P. Kelly on behalf of Creditor U.S. Bank Trust, N.A. skelly@sterneisenberg.com, bkecf@sterneisenberg.com  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11